

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELWARE

UNITED STATES OF AMERICA,

Plaintiff,

v.

Criminal Action No. 07-137-JJF

JEFFREY GRAY,

Defendant,

MOTION FOR CONTINUANCE OF SENTENCING

Defendant, Jeffrey Gray, through undersigned counsel, Joseph A. Gabay, hereby moves this Honorable Court for an order re-scheduling the September 4, 2008 sentencing.

The defense submits the following in support thereof:

1. The sentencing in this matter is currently scheduled for Thursday, September 4, 2008;
2. Defense counsel will be in San Diego that day. He is scheduled to speak before a section of the ACFEI National Conference on September 5, 2008 ("Providing Effective Testimony – Lessons Learned from the Defense");
3. Accordingly defense counsel is not available on the scheduled date and respectfully seeks a continuance;
4. Mr. Gray has been advised that this request was being submitted and had no opposition to the request;
5. Counsel also discussed this with Mr. Matthews who is preparing the Pre-Sentence Report;
6. Defense counsel has spoken to AUSA Ileana Eisenstein, the attorney handling this case for the government. Ms. Eisenstein does not oppose the defendant's request for a continuance.

WHEREFORE, the defense respectfully requests that the Court re-schedule the sentencing currently set for September 4, 2008.

Respectfully submitted,

/s/Joseph A. Gabay
Joseph A. Gabay, Esquire
901 N. Market St
Suite 840
Wilmington, DE 19801
Attorney for Defendant Jeffrey Gray

DATED: August 26, 2008

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA

Plaintiff,

v.

Criminal Action No. 07-137-JJF

JEFFREY GRAY,

Defendant

CERTIFICATE OF SERVICE

The undersigned attorney for defendant Jeffrey Gray hereby certifies that a copy of Defendant's Motion for Continuation of Trial is available for public viewing and downloading and was electronically delivered on August 26, 2008, to:

Ilana Eisenstein, Esquire
Assistant U.S. Attorney
United States Attorney's Office
1007 Orange Street, Suite 700
Wilmington, DE 19801

/s/ Joseph A. Gabay
Joseph A. Gabay, Esquire
901 N. Market Street
Suite 840
Wilmington, DE 19801
Attorney for Defendant Jeffrey Gray

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELWARE

UNITED STATES OF AMERICA,

Plaintiff,

v.

Criminal Action No. 07-137-JJF

JEFFREY GRAY,

Defendant,

ORDER

The foregoing Motion to Continue the Sentencing Date, having been received and considered, IT IS HEREBY ORDERED that:

1. The application to continue the sentencing date of September 4, 2008 is GRANTED;
2. A new sentencing date will be established.

SO ORDERED THIS _____ day of August, 2008.

Hon. Joseph J. Farnan

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA

Plaintiff,

v.

Criminal Action No. 07-137-JJF

JEFFREY GRAY,

Defendant

CERTIFICATE OF SERVICE

The undersigned attorney for defendant Jeffrey Gray hereby certifies that a copy of the proposed form of Order to Defendant's Motion to Continue the Trial Date is available for public viewing and downloading and was electronically delivered on April 7, 2008, to:

Ilana Eisenstein, Esquire
Assistant U.S. Attorney
United States Attorney's Office
1007 Orange Street, Suite 700
Wilmington, DE 19801

/s/ Joseph A. Gabay
Joseph A. Gabay, Esquire
901 N. Market Street
Suite 840
Wilmington, DE 19801
Attorney for Defendant Jeffrey Gray

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELWARE

UNITED STATES OF AMERICA,

Plaintiff,

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WHEREFORE, the defense respectfully requests that the Court re-schedule the sentencing currently set for September 4, 2008.

Respectfully submitted,

/s/Joseph A. Gabay
Joseph A. Gabay, Esquire
901 N. Market St
Suite 840
Wilmington, DE 19801
Attorney for Defendant Jeffrey Gray

DATED: August 26, 2008

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FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA

Plaintiff,

v.

Criminal Action No. 07-137-JJF

JEFFREY GRAY,

Defendant

CERTIFICATE OF SERVICE

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Ilana Eisenstein, Esquire
Assistant U.S. Attorney
United States Attorney's Office
1007 Orange Street, Suite 700
Wilmington, DE 19801

/s/ Joseph A. Gabay
Joseph A. Gabay, Esquire
901 N. Market Street
Suite 840
Wilmington, DE 19801
Attorney for Defendant Jeffrey Gray